

NOTE: THIS LINK RELATES ONLY TO **HAROLD**
W. BEAVERS OF GREENSBORO. THIS LINK
DOES **NOT** RELATE TO GREENSBORO PATENT
LAWYER WALTER L. BEAVERS, WHO HAS HAD NO
PROFESSIONAL ASSOCIATION WITH HAROLD W.
BEAVERS.

WAKE COUNTY 2008 AUG 20 PM 2:15 IN THE GENERAL COURTS OF JUSTICE
NORTH CAROLINA WAKE COUNTY, C.S.C. SUPERIOR COURT DIVISION
08 CVS 11071

BY _____	)	
THE NORTH CAROLINA STATE BAR,	)	
PETITIONER,	)	
	)	CONSENT ORDER
v.	)	OF DISBARMENT
	)	
HAROLD W. BEAVERS, ATTORNEY,	)	
RESPONDENT.	)	

THIS MATTER came on to be heard and was heard by the undersigned Judge of the Superior Court of Wake County. Petitioner, the North Carolina State Bar, was represented by Katherine E. Jean. Respondent, Harold W. Beavers, was represented by James B. Maxwell.

Based upon the Affidavit of Surrender of Law License submitted to the court by Harold W. Beavers, the court makes the following:

FINDINGS OF FACT

1. Harold W. Beavers was licensed to practice law in North Carolina on August 22, 1981 and at all times pertinent to this action was a partner in the law firm of Beavers & Chase, L.L.P. ("the firm") in Greensboro, North Carolina.
2. In a series of transactions, Beavers misappropriated \$828,329.63 entrusted to him in a fiduciary capacity for the benefit of clients of the firm and utilized those funds for his own personal benefit without authorization to do so from the beneficial owners of the entrusted funds.
3. Beavers was a co-trustee of the Trust Under the Will of Charles L. Beavers ("the Family Trust"). The beneficiaries of the Family Trust are all members of Beavers' immediate family.
4. Beavers misappropriated entrusted funds from the Family Trust by transferring \$350,000.00 from accounts held by him for the benefit of the Family Trust into the trust account of the law firm to cover a shortage in the law firm trust account caused by some of the misappropriations described in paragraph 2 above.

5. Beavers misappropriated \$25,000.00 from the Family Trust by writing checks in the amounts of \$20,000.00 and \$5,000.00 directly to himself from accounts held by him for the benefit of the Family Trust.
6. Beavers misappropriated \$14,446.41 from the Family Trust by writing a check in that amount drawn on funds held for the benefit of the Family Trust to the Guilford County Tax Department to cover the tax obligation of a client. The client had deposited sufficient funds into the firm trust account to cover the client's tax obligation but Beavers had misappropriated the client's entrusted funds from the firm trust account as described in paragraph 2 above.
7. Beavers misappropriated \$154,952.38 from the Family Trust by writing a check in that amount drawn on funds held by him for the benefit of the Family Trust payable to an account owned by a client of the firm. The client of the firm was entitled to receive \$154,952.38 from funds that had been deposited into the firm trust account for his benefit but Beavers had misappropriated the client's entrusted funds from the firm trust account as described in paragraph 2 above.

Based upon the foregoing Findings of Fact, the court makes the following:

CONCLUSIONS OF LAW

1. By misappropriating entrusted funds that had been delivered to him in his fiduciary capacity for the benefit of clients and by misappropriating funds entrusted to him as a co-trustee of the Family Trust, Beavers violated Rules 8.4(c) and 1.15-2(a), (j) and (m) of the North Carolina Revised Rules of Professional Conduct.
2. Beavers' misconduct constitutes grounds for discipline pursuant to N.C. Gen. Stat. Section 84-28(b)(2).

IT IS NOW, THEREFORE, ORDERED:

1. Harold W. Beavers is DISBARRED from the practice of law in North Carolina.
2. Harold W. Beavers shall comply with the provisions of Subchapter B, Section .0124 of the Rules and Regulations of the North Carolina State Bar and shall surrender his license and permanent membership card to the Secretary of the North Carolina State Bar along with the affidavit required by Subchapter B, Section .0124.
3. The costs of this action are taxed against Harold W. Beavers.

Done and Ordered this 20 day of August, 2008.

Donald W. Stephens
Superior Court Judge Presiding

WE CONSENT

Katherine E. Jean

Katherine E. Jean
Attorney for Petitioner

Harold W. Beavers

Harold W. Beavers
Respondent

James B. Maxwell

James B. Maxwell
Attorney for Respondent

WAKE COUNTY
2008 AUG 20 PM 2:14
NORTH CAROLINA
WAKE COUNTY, C.S.C.

IN THE GENERAL COURTS OF JUSTICE
SUPERIOR COURT DIVISION
08 CVS 11071

THE NORTH CAROLINA STATE BAR,)
BY PETITIONER,)
)
v.)
)
HAROLD W. BEAVERS, ATTORNEY,)
RESPONDENT.)

AFFIDAVIT OF
SURRENDER OF LAW LICENSE

Harold W. Beavers, being first duly sworn, deposes and says as follows:

1. I desire to resign and hereby tender my license to practice law in North Carolina pursuant to the provisions of 27 N.C. Admin. Code Chapter 1, Subchapter B, Section .0117 of the N.C. State Bar Discipline & Disability Rules.
2. My resignation is freely and voluntarily rendered. It is not the result of coercion or duress. I am fully aware of the implications of submitting my resignation. I affirm that I have obtained the advice and counsel of an attorney in filing this Affidavit.
3. I am aware that there is pending an investigation regarding allegations that:
 - (a) in a series of transactions, I misappropriated \$828,329.63 entrusted to me in a fiduciary capacity for the benefit of clients of my former law firm and utilized those funds for my own personal benefit without authorization to do so from the beneficial owners of the entrusted funds (I removed some of the \$828,329.63 from the trust account of the former law firm; the remainder is funds I received in trust for the benefit of clients that I did not deposit into the trust account of the former law firm and instead misappropriated to my own personal benefit;
 - (b) I misappropriated \$350,000.00 from the Trust Under the Will of Charles L. Beavers ("the Family Trust") of which I was a co-trustee, the beneficiaries of which are all members of my own family, by transferring \$350,000.00 from funds held by me for the benefit of the Family Trust into the trust account of my former law firm to cover a shortage in the law firm trust account caused by some of the misappropriations described in subparagraph (a) above;
 - (c) I misappropriated \$25,000.00 from the Family Trust by writing two checks, in the amounts of \$20,000.00 and \$5,000.00, directly to myself from funds held by me for the benefit of the Family Trust;

(d) I misappropriated \$14,446.41 from the Family Trust by writing a check in that amount drawn on funds held by me for the benefit of the Family Trust to the Guilford County Tax Department to cover the tax obligation of a client of the firm who had deposited sufficient funds into the firm trust account to cover his tax obligation but whose funds I had misappropriated as described in subparagraph (a) above; and

(e) I misappropriated \$154,952.38 from the Family Trust by writing a check in that amount drawn on funds held by me for the benefit of the Family Trust to an account owned by a client of the firm who was entitled to receive that amount from the firm trust account but whose funds I had misappropriated from the firm trust account as described in subparagraph (a) above.

4. I acknowledge that the material facts upon which the investigation is predicated are true.

5. I am submitting my resignation because I know that if disciplinary charges were predicated upon the misconduct under investigation, I could not successfully defend against them.

6. At the State Bar's request, I consented to entry of a preliminary injunction by the Wake County Superior Court prohibiting me from handling entrusted funds and prohibiting me from acting in a fiduciary capacity.

7. After the State Bar became aware of the misconduct described in this affidavit, I provided \$221,906.42 for deposit into the trust account of the former law firm and into a successor trust account to the trust account of the former law firm. I borrowed money in order to make these deposits. The purpose of these deposits was to provide funds with which to reimburse clients for the losses caused by the misappropriations described in paragraph 3(a) above.

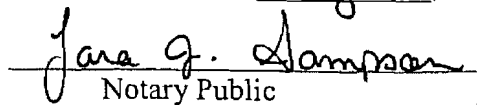
This the 10th day of August, 2008.

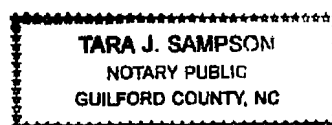

Harold W. Beavers

I, Tara J. Sampson, Notary Public of the County of _____, State of North Carolina, certify that Harold W. Beavers personally appeared before me this day and acknowledged the due execution of the foregoing Affidavit.

Sworn to and subscribed before me

This the 10th day of August, 2008.


Notary Public



Commission Expires - 11/18/2012